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IRVINE CA 92614

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**NOV 15 2006**

**OFFICE OF PETITIONS**

In re Application of	:	
Donald J. Merkley, et al.	:	
Application No. 10757,330	:	DECISION ON PETITION
Filed: January 13, 2004	:	TO WITHDRAW
Attorney Docket No. HARD1.017DV1	:	FROM RECORD
	:	

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) or 37 C.F.R. § 10.40 filed August 15, 2006.

The request is **APPROVED**.

A review of the file record indicates that Knobbe, Martens, Olson & Bear, LLP: (1) does not have power of attorney in this patent application; and (2) has been employed or otherwise engaged in the proceedings in this patent application. In view of the present decision, Knobbe, Martens, Olson & Bear, LLP has/have been withdrawn from the present application and may not prepare or submit papers under 37 C.F.R. § 1.34, or correspond in any manner in this application unless appointed in an acceptable power of attorney under 37 C.F.R. § 1.32(b).

The request to change the correspondence of record is not acceptable as the requested correspondence address is not that of: (1) the first named signing inventor; or (2) the intervening assignee of the entire interest. All future communications from the Office will be directed to the first named signing inventor under 37 C.F.R. § 3.71 at the first copied address below until otherwise properly notified by the applicant.

Applicant is reminded that there is no attorney of record at this time.

Telephone inquiries concerning this decision should be directed to undersigned at 571-272-1642.

*April M. Wise*

April M. Wise  
Petitions Examiner  
Office of Petitions

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/757,330	01/13/2004	Donald J. Merkley	HARD1.017DV1

20995  
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CONFIRMATION NO. 3467

\*OC000000021227388\*

\*OC000000021227388\*

Date Mailed: 11/15/2006

## NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 08/15/2006.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

APRIL M WISE  
 OP (571) 272-1642

FORMER ATTORNEY/AGENT COPY